

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed June 4, 2008. At the time of the Office Action, Claims 4-6 were pending in this Application. Claims 4-6 were rejected. Claim 4 has been amended. Claims 1-3 were previously cancelled without prejudice or disclaimer. Claims 7-12 have been added. Applicant respectfully requests reconsideration and favorable action in this case.

The Specification

The Abstract of the Specification has been objected by the Examiner. (Office Action, Page 5-6). Although Applicant does not agree, Applicant has amended the Abstract to overcome this objection, as indicated above at page 2 of this paper. No new matter was introduced. Applicant respectfully requests the objection to the Abstract be removed.

Rejections under 35 U.S.C. § 112

Claim 4 was rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 4 has been amended to overcome the rejection. Applicant respectfully request the removal of the § 112 rejection to Claim 4.

Rejections under 35 U.S.C. §103

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Even if each limitation is disclosed in a combination of references, however, a claim composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). Rather, the Examiner must identify an apparent reason to combine the known elements in the fashion claimed. *Id.* "Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal

conclusion of obviousness.” *Id.*, citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). Finally, the reason must be free of the distortion caused by hindsight bias and may not rely on ex post reasoning. *KSR*, 127 S.Ct. at 1742. In addition, evidence that such a combination was uniquely challenging or difficult tends to show that a claim was not obvious. *Leapfrog Enterprises, Inc. v. Fisher-Price, Inc. and Mattel, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007), citing *KSR*, 127 S.Ct. at 1741.

Claims 4 and 5

Claims 4-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 20030227745 filed by Soon Huat Khoo (“*Khoo*”). in view of U.S. Patent Publication 20010004254 filed by Tohru Okahara et al. (“*Okahara*”). Applicant respectfully traverses and submits the cited art combinations, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention obvious.

To justify the combination of the references, the Examiner makes conclusory statements that it “would be obvious to one of ordinary skill in the art at the time the invention to combine Khoo’s compound device with Okahara’s continuing cursor movement from one device to the other device’s to achieve the claimed moving aspect, because it would allow a pointer operation target to automatically to [sic] be switched to ensure continuity of a pointer operation.” Office Action, Page 0. However, Applicant notes that no evidence in the cited references, or any other evidence or record supports this statement. Even if each limitation is disclosed in a combination of references, which Applicants do not concede as discussed below, a claim composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR Int’l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). Rather, the rationale to support a conclusion that

the claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art at the time of the invention. It can be important to identify a reason that would have prompted a

person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. If any of these findings cannot be made, then this rationale cannot be used to support a conclusion that the claim would have been obvious to one of ordinary skill in the art.

Examination Guidelines for Determining Obviousness Under 35 U.S.C. § 103 in View of the Supreme Court Decision in KSR International Co. v. Teleflex Inc., Federal Register / Vol. 72, No. 195, at 57529 (emphasis added).

Furthermore, the Examiner has failed to show that the proposed combination would yield reasonable expectation of success. For example, the Examiner has failed to provide how combining a mobile and PDA device coupled together to form a complete keyboard as disclosed in *Khoo* would work in electronic conferencing system as disclosed in *Okahara* would yield reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Applicants respectfully submit that amended Claims 4-6 are patentably distinct over the cited references, either separately or as combined by the Examiner because the cited reference(s) fail to teach or suggest all the limitations of Claims 4-6. For example, regarding amended Independent Claim 4, the cited references each fail to teach or suggest:

activating a local file processing function on the object computer; and
generating an object processing platform by moving an object from a display belonging to the object computer to an interaction area of a display belonging to the processing computer,
wherein activating the local file processing function comprises moving the object from the object computer to the interaction area.

Khoo fails to teach or suggest activating the local file processing function comprising moving the object from the object computer interaction area. Rahter, *Khoo* discloses loading partial keyboard map via a wired or wireless connection in order to complete a QWERTY keyboard. See FIGS. 2A and 2B and the supporting text. Furthermore, *Khoo* also fails to teach or suggest generating an object processing platform by moving an object from a display

belonging to the object computer to an interaction area of a display belonging to the processing computer, as agreed upon by the Examiner. (Office Action, Page 8)

Okahana also fails to teach or suggest the above recited elements. For example, *Okahana* fails to teach or suggest activating the local file processing function by moving the object from the object computer to the interaction area of the processing computer. *Okahana* discloses synching the movement of the pointer on one or more operated terminal by a sampling rate of the pointer. *Okahana* fails to teach or suggest activating any local file processing functions.

For at least the reasons discussed above, Applicant respectfully request reconsideration and allowance of amended Independent Claim 4 and all claims that depend therefrom.

Claim 6

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Khoo* in view of *Okahara*, and further in view of U.S. Patent 5,748,189 issued to John Trueblood ("*Trueblood*"). Applicant respectfully traverses and submits the cited art combinations, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention obvious.

As noted above, *Khoo* and/or *Okahana* fail to teach or suggest the above cited elements of amended Independent Claim 4. *Trueblood* also fails to teach or suggest these elements of amended Claim 4.

For at least the reasons discussed above, Applicants respectfully request reconsideration and allowance of amended Independent Claim 4 and all claims that depend therefrom.

Request for Continued Examination (RCE)

Applicant respectfully submit a Request for Continued Examination (RCE) Transmittal, along with a Petition for Extension of Time. The Commissioner is authorized to charge any fees required to Deposit Account 50-2148 in order to effectuate these filings

Association of Customer Number and Change of Correspondence Address

Applicant respectfully request that all papers pertaining to the above-captioned patent application be associated with Customer No. **31625**, and direct all correspondence pertaining to this patent application to practitioners at Customer Number **31625**. All telephone calls should be directed to Andreas Grubert at 512.322.2545. A Revocation and Power of Attorney is filed herewith.

ATTORNEY DOCKET
071308.1015
(2003P13403WOUS)

PATENT APPLICATION
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CONCLUSION

Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2545.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicant



Andreas Grubert
Reg. No. 59,143

Date: October 1, 2008

SEND CORRESPONDENCE TO:

Baker Botts L.L.P.

CUSTOMER ACCOUNT NO. **31625**

512.322.2545

512.322.8383 (fax)